SWS-tmp 12:22:09 P0880 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Art Unit: 2431

Geoffrey B. Rhoads Confirmation No.: 1809

Application No.: 10/658,808 Filed: September 8, 2003

For: METHOD FOR INCREASING THE

FUNCTIONALITY OF A MEDIA PLAYER/DEVICE OR AN APPLICATION PROGRAM

Examiner: Chen, Shin Hon Date: December 22, 2009 Via Electronic Filing

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed September 1, 2009, rejecting claims 1-40, 42, 43 and 46-59. (Fee of \$\$40.00)

Applicant petitions for a <u>one</u> month extension of time from <u>December 1, 2009</u> to <u>January 1, 2010</u>. If any additional extension of time is required, please consider this a petition therefor. (Fee of \$130.00)

Please charge <u>\$670.00</u> (fee for Notice of Appeal) and any additional fees which may be required in connection with the filing of these papers or credit any over-payment, to Deposit Account No. 50-1071.

Date: December 22, 2009

CUSTOMER NUMBER 23735

Phone: 503-469-4800 FAX 503-469-4777 Respectfully submitted,

DIGIMARC CORPORATION

Steven W. Stewart Registration No. 45.133